

Attorney's Docket: 2002DE144
Serial No.: 10/539,034
Group: 1755

RECEIVED
CENTRAL FAX CENTER

SEP 15 2006

REMARKS

The Office Action mailed May 16, 2006, has been carefully considered together with each of the references cited therein. The amendments and remarks presented herein are believed to be fully responsive to the Office Action. The amendments made herein are fully supported by the Application as originally filed. No new matter has been added. Accordingly, reconsideration of the present Application in view of the above amendments and following remarks is respectfully requested.

CLAIM STATUS

Claims 1-14 are pending in this Application. By this Amendment, claims 1, 3, 4, 7-10, 12 and 14 have been amended while new claim 15 has been added. Claims 5 and 13 have been cancelled. The claims under consideration are believed to include claims 1-4 and 6-12, 14 and 15.

Specification

The abstract of the disclosure is objected to because it is not found on a single page free of extraneous information. By this amendment, Applicants have deleted the existing abstract and replaced the same with a new one on a separate page and deleted extraneous information.

Claim Rejections Under 35 USC § 112, First Paragraph

Claims 1-14 stand rejected under 35 USC § 112, first paragraph as the Office is of the position that the specification is non-enabling for "any copper phthalocyanine-sulfonic acid or copper phthalocyanine-sulfonic salt pigment dispersant. This rejection is respectfully overcome.

Independent claim 1 has been amended, importing the subject matter of now cancelled claim 5 into claim 1. The added subject matter is directed to a particular

Attorney's Docket: 2002DE144
Serial No.: 10/539,034
Group: 1755

pigment dispersant of formula (I). By this amendment, it is respectfully believed that Applicants are in conformance with 35 USC § 112, first paragraph.

Claims 1-14 stand rejected under 35 USC § 112, first paragraph as failing to comply with the written description requirement. The Office states that "[a]pplicant has not defined what the following standards are "ISO 14 446 standard 27A and 30A" and DIN 53235."

Applicants have stricken reference to these standards from the claims. In view of such amendment, it is respectfully contended that the claims are in conformance with 35 USC § 112, first paragraph's written description requirement.

Claim Rejections Under 35 USC § 112, Second Paragraph

Claims 1-14 stand rejected under 35 USC § 112, second paragraph as being indefinite.

The Office states that in claim 1 the phrase is "the 1/3 standard color depth" and "the corresponding hue" lack proper antecedent basis. The Office also finds that it is "unclear as to what is meant by the following: "ISO 14 446, standard 27A and 30A" and "DIN 53235". Further the Office finds it unclear as to what is meant by the phrase "the corresponding hue".

Element b) of independent claim 1 has been amended to read as follows:

a color strength that achieves 1/3 standard color strength if a printing ink consists of an ethanol/ nitrocellulose gravure varnish containing 75% to 85% by weight of ethanol and 9% to 11% by weight of nitrocellulose in a ratio of 2:7.5 and a dry copper phthalocyanine pigment preparation content, based on the total weight of the printing ink, of not more than 6.6% by weight.

For a person with ordinary skill in the art, it is well known that the standard color strength is that of the same or "corresponding" hue. This is explained beginning on page 3 line 8 of the specification.

As stated above, all reference to the ISO and DIN standards have been deleted from the claims.

Attorney's Docket: 2002DE144
Serial No.: 10/539,034
Group: 1755

In claim 8, the Office finds the phrase "the elevated temperature" and the phrase "in the presence of" vague and indefinite. Claim 8 has been amended to recite a temperature of from 50 to 250°C and has replaced the phrase "in the presence of" with the word "adding."

The Office finds the phrase "high molecular weight" in claims 9 and 10 vague and indefinite. Claims 9 and 10 have been amended to insert the Markush group of now cancelled claim 13, thereby, defining the high molecular weight material.

In view of the foregoing, amendments and remarks it is respectfully contended that the 35 USC § 112, second paragraph rejections have been overcome.

Claim Objections

Claims 7 and 12 are objected to as the term dispersant is misspelled. Claims 7 and 12 have been amended to correct the misspelling.

Claim Rejections Under 35 USC § 102

Claims 1-4 and 6 stand rejected under 35 USC § 102(b) as being anticipated by German Patent Specification No. DE 27 20 464. Claims 1-4 and 6-7 stand rejected under 35 USC § 102(b) as being anticipated by EP 761 770. Claims 1-4 and 6 stand rejected under 35 USC § 102(b) as being anticipated by EP 780 446. Claims 1-4 and 6-7 stand rejected under 35 USC § 102(b) as being anticipated by Barraclough et al. (US Patent No. 4,313,766). These rejections are respectfully overcome.

As discussed above, Applicants have amended independent claim 1 to include the subject matter of now cancelled claim 5. In view of this amendment, it is respectfully contended the instantly claimed invention as represented by independent claim 1 is not anticipated by German Patent Specification No DE 2720464, EP 761770, EP 780 446 or Barraclough et al. (US Patent No. 4,313,766).

Attorney's Docket: 2002DE144
Serial No.: 10/539,034
Group: 1755

Applicants, therefore courteously solicit reconsideration and withdrawal of the § 102 rejections.

In view of the forgoing amendments and remarks, the present application is believed to be in condition for allowance, and reconsideration of it is requested. If the Examiner disagrees, he is requested to contact the attorney for Applicants at the telephone number provided below.

Respectfully submitted,



Anthony A. Bisulca
Attorney for Applicant
Registration No. 40,913

(CUSTOMER NUMBER 25,255)

Clariant Corporation
Industrial Property Department
4000 Monroe Road
Charlotte, North Carolina 28205
Phone: (704) 331-7151
Fax: (704) 331-7707